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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/993,919	11/06/2001	Gilles Bellaton	13220.003001; P5838	5470

32615 7590 11/03/2005

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EXAMINER

BOUTAH, ALINA A

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 11/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/993,919

**Applicant(s)**

BELLATON ET AL.

**Examiner**

Alina N Boutah

**Art Unit**

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 August 2005.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 7-9 and 11-17 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 7-9 and 11-17 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 7/12/05  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_

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## **DETAILED ACTION**

### ***Response to Amendment***

This action is in response to Applicant's amendment filed August 11, 2005. Claim 10 has been cancelled. Claim 17 has been newly added. Claims 7-9 and 11-17 are pending in the present application.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 7 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claim 1, as amended recites a node comprising a state that indicates an availability of the backend. Applicant has submitted that this is being taught in paragraph 0039 of the specification. However, upon careful examination of the mentioned paragraph, no where does it disclose a state indicative of an availability of the backend. A state, as mentioned in 0039 is used to enable or disable a DSMT node, and specify a referral, but does not indicate a backend's availability.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7-9 and 11-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,629,132 issued to Ganguly et al. (hereinafter referred to as Ganguly), in view of US 2001/0027445 by Eichelsdoerfer et al. (hereinafter referred to as Eichelsdoerfer).

(Amended) Regarding claim 7, Ganguly teaches a method for selecting a backend using a directory server mapping tree, comprising:

providing a search criteria by a client application (abstract; col. 3, lines 45-col. 4, line 6; col. 6, lines 26-38);

initiating a search request by the directory server mapping tree (col. 6, lines 26-38; col. 13, lines 10-27);

searching the directory server mapping tree using the search criteria (col. 3, lines 16-31);  
and

selecting the backend mapped in the directory server mapping tree that matches the search criteria (col. 12, lines 13-20).

However, Ganguly fails to explicitly teach wherein a node, associated with the backend in the directory server mapping tree, comprises a state indicating availability of the backend.

Eichelsdoerfer teaches a state indicating availability of the backend (figures 3B and 3D, 0061).

At the time the invention was made, one of ordinary skill in the art would have been motivated to employ a state to indicate the availability of the backend server in order to direct requests to appropriate backend, thus eliminating errors in processing the requests.

Regarding claim 8, Ganguly teaches the method of claim 7, further comprising:  
traversing the directory server mapping tree for each request initiated by the client application  
(col. 13, lines 9-22).

Regarding claim 9, Ganguly teaches the method of claim 7, further comprising:  
determining a node that most resembles the search criteria provided by the client application  
(col. 8, lines 30-48).

Regarding claim 10, Ganguly teaches the method of claim 9, wherein the node has a state enabling the directory server mapping tree (col. 3, lines 45-col. 4, line 6; col. 12, lines 22-33).

Regarding claim 11, Ganguly teaches the method of claim 9, wherein the node has a state disabling the directory server mapping tree (col. 13, lines 11-22).

Regarding claim 12, Ganguly teaches the method of claim 9, wherein the node has an entry in the directory information tree (figure 2).

Regarding claim 13, Ganguly teaches the method of claim 7, further comprising: modifying the directory server mapping tree from a plugin without dependence on node representation (col. 5, line 58 to col. 6, line 5).

Regarding claim 14, Ganguly teaches the method of claim 7, further comprising: selecting a closest match based on the search criteria, if an exact match is not found (col. 12, lines 22-33).

(Amended) Regarding claim 15, Ganguly teaches a method for selecting a backend using a directory server mapping tree, comprising:

providing a search criteria by a client application (abstract; col. 3, lines 45-col. 4, line 6; col. 6, lines 26-38);

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initiating a search request by the directory server mapping tree (col. 6, lines 26-38; col. 13, lines 10-27);

searching the directory server mapping tree using the search criteria (col. 3, lines 16-31);

selecting the backend mapped in the directory server mapping tree that matches the search criteria (col. 12, lines 13-20);

traversing the directory server mapping tree for each request initiated by the client application (col. 13, lines 9-22);

determining a node that most resembles the search criteria provided by the client application (col. 3, lines 45-col. 4, line 6; col. 12, lines 22-33);

modifying the directory server mapping tree from a plugin without dependence on node representation (col. 7, lines 16-26); and

selecting a closest match based on the search criteria, if an exact match is not found (col. 12, lines 22-33).

However, Ganguly fails to explicitly teach wherein a node, associated with the backend in the directory server mapping tree, comprises a state indicating availability of the backend.

Eichelsdoerfer teaches a state indicating availability of the backend (figures 3B and 3D, 0061). At the time the invention was made, one of ordinary skill in the art would have been motivated to employ a state to indicate the availability of the backend server in order to direct requests to appropriate backend, thus eliminating errors in processing the requests.

Claim 16 is similar to claim 7, therefore is rejected under the same rationale.

Regarding claim 17, Ganguly teaches the method of claim 7, wherein the state comprises at least one selected from the group of consisting of a backend state, a disabled state, referral state, and a referral on update state (col. 11, 49-61).

### *Response to Arguments*

Applicant's arguments with respect to claims 7, 15 and 16 have been considered but are moot in view of the new ground(s) of rejection.

### *Conclusion*

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.



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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alina N. Boutah whose telephone number is 571-272-3908. The examiner can normally be reached on Monday-Friday (9:00 am - 5:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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TECHNOLOGY CENTER 2143